

		all physical and documentary evidence, [70-1] motion for a list of witnesses, [69-1] motion for specific information relating to hearsay, [68-1] motion to produce minutes of the grand jury proceedings and transcript of any evidence adduced before the grand jury and copies of evidence exhibited thereto, [67-1] motion detailing general and specific requests for favorable evidence and impeachment evidence, [66-1] motion to produce Rule 16(a)(1)(C) materials, [65-1] motion for production of interview reports with individuals who will not be witnesses at trial, [64-1] motion for individual voir dire, [63-1] motion for early production of witness statements, [62-1] motion to produce deft's statements, [61-1] motion to produce deft's criminal record, [60-1] motion for disclosure of writings used to refresh memory, evidence to be offered pursuant to Rules 613, 803(24), and 804(5), W.V. Evid., other writings and recorded statements, and matters as to which the govt will seek judicial notice, [59-1] motion for notice of intent to use suppressible evidence, [58-1] motion for notice of intent to use and description of 404(b) evidence, [57-1] motion reserving the right to make further motions in this case, [56-1] motion to suppress written or oral statements allegedly made by the deft, [56-2] motion to suppress all evidence resulting from illegal search & seizure without warrant, [55-1] motion to compel disclosure of all exculpatory evidence to deft, [54-1] motion for "rap sheet" and plea bargains, [53-1] motion for Bill of Particulars, [52-1] motion for inspection and discovery (jkk) Modified on 02/03/2004 (Entered: 02/02/2004)
02/20/2004	<u>83</u>	ORDER as to Thomas J. Savoca, Carlos Santos; counsel having advised that the following motions are moot, denying as moot the following motions of deft Savoca: [75-1] for a jury trial, [74-1] to produce deft's criminal record, [73-1] for disclosure of videotapes, photographs or other electronic depictions, [72-1] to disclose interception of wire or oral communications and electronic surveillance production and suppressions, [71-1] to permit testing of all physical and documentary evidence, [70-1] for a list of witnesses, [69-1] for specific information relating to hearsay, [67-1] detailing general and specific requests for favorable evidence and impeachment evidence, [66-1] to produce Rule 16(a)(1)(C) materials, [65-1] for production of interview reports with individuals who will not be witnesses at trial, [64-1] for individual voir dire, [63-1] for early production of witness statements, [62-1] to produce deft's statements, [61-1] to produce deft's criminal record, [60-1] for disclosure of writings used to refresh memory, etc., [59-1] for notice of intent to use suppressible evidence, [58-1] for notice of intent to use, and description of, 404(b) evidence, [56-1] to suppress written or oral statements allegedly made by the deft, [56-2] to suppress all evidence resulting from illegal search and seizure without a warrant, [55-1] to compel disclosure of all exculpatory evidence, [54-1] for "rap sheets" and plea bargains, [53-1] for Bill of Particulars, [52-1] for inspection and discovery, and [39-1] to redact the indictment; denying as moot deft Savoca's [43-1] motion for George H. Lancaster, Jr. to be relieved of appointment as counsel; denying without prejudice deft Santos's [81-1] motion reserving right to file further motions; denying without prejudice deft Savoca's [42-1] motion reserving right to file further motions; the following motions of deft Savoca will be addressed at the previously scheduled pretrial motions hearing: [68-1] for production of grand jury materials, [26-1] to dismiss indictment, and [38-1] to suppress; the remaining pending motions for hearing relating to deft Santos are his

EX Pg AA  - 

06/21/2004		Minutes of proceedings (non-document) before Judge John R. Adams as to Thomas J. Savoca. Suppression hearing began at 9:00 a.m. and continued to 12:15 p.m. Witness for suppression hearing: Jack Remaley and Scott Wilson, exhibits admitted 1-7,15A, 37, 39-46. Voir Dire held on 6/21/2004 beginning at 1:15 p.m. and ending at 6:00 p.m. Jury of twelve with two alternates selected. Trial to begin 6/22/04 at 9:15 a.m. (Court Reporter Lori Callahan) (K, Chr) (Entered: 06/22/2004)
06/22/2004	<u>77</u>	Ex Parte Application for Writ of Habeas Corpus ad Testificandum. (L, T) (Entered: 06/22/2004)
06/22/2004	<u>78</u>	Order signed by Judge John R. Adams on 6/22/04 granting Application for Writ of Habeas Corpus ad Testificandum. Original writ and certified copies issued to the USM on 6/22/04. (Attachments: #(1) Writ of Habeas Corpus Ad Testificandum) (L, T) (Entered: 06/22/2004)
06/22/2004		Minutes of proceedings (non-document) before Judge John R. Adams. Jury Trial proceeded as to Thomas J Savoca on 6/22/2004. Trial continued to 6/23/04. (Time: 3.5 hours) (Court Reporter Lori Callahan) (K, Chr) (Entered: 06/23/2004)
06/23/2004	<u>79</u>	Motion informing the court of request to change court appointed attorney filed by Thomas J Savoca. (P, G) (Entered: 06/23/2004)
06/23/2004	<u>80</u>	Motion of notice informing the court of impeachment proceedings hereby requesting dismissal of charges, filed by Thomas J Savoca. (P, G) (Entered: 06/23/2004)
06/23/2004		Minutes of proceedings (non-document) before Judge John R. Adams. Jury Trial as to Thomas J Savoca held on 6/23/2004. Trial continued to 6/24/04 at 9:00 a.m. (Court Reporter Lori Callahan & Heidi Geizer)(Time: 6.5 hours) (K, Chr) (Entered: 06/23/2004)
06/24/2004	<u>81</u>	Marginal entry order denying <u>79</u> defendant's motion to change Court appointed counsel as to Thomas J Savoca (1). Signed by Judge John R. Adams on 6/24/04. (K, Chr) (Entered: 06/24/2004)
06/24/2004		Minutes of proceedings (non-document) before Judge John R. Adams. Jury Trial as to Thomas J Savoca held on 6/24/2004. Trial continued to 6/25/04 at 9:00 a.m. (Time: 6.5 hours) (Court Reporter Heidi Geizer) (K, Chr) (Entered: 06/25/2004)

EX 6

0014

STARLING - Direct (Wright)

69

1 with Route 7, what did you do?

2 A. When I got back down here I went this direction in towards  
3 Marietta, the city.

4 Q. What did you observe as you headed in towards the city?

5 A. As I started getting in towards the city, which is not  
6 much farther than this picture goes, up ahead I could see  
7 where -- the pursuing vehicle is what I could see at that time.  
8 There is another ramp down here that hooks up to this ramp here  
9 and kind of loops around. I could see them off in this area to  
10 my left. Just as I saw them, then straight ahead in an  
11 intersection I could see the gold van come through the  
12 intersection, kind of at an angle that was odd to the way the  
13 traffic should be going. Immediately behind him was the  
14 pursuing officers.

15 Q. What did you do after you saw that?

16 A. I just continued through. It was a Saturday and there was  
17 pretty heavy traffic. I continued through the traffic with my  
18 lights and sirens on through that next intersection and  
19 eventually within a short distance caught up with the pursuit.

20 Q. What happened after you caught up with the pursuing van?

21 A. When I caught up to the pursuing vehicles, the van was  
22 just out of my sight. It had turned in behind a medical  
23 office, and there was an unmarked police car directly ahead of  
24 me and another marked car that kind of went around him, and I  
25 stopped right -- pretty much right in the road in front of the

EX6

STARLING - Direct (Wright)

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1 medical place. I knew that whatever went in had to either come  
2 out or stay in there, because there is no exits out. They kind  
3 of loop around, so I just kind of stayed out in the road there  
4 momentarily.

5 Q. Then what happened?

6 A. I sat there just a couple seconds and the gold van cut  
7 right out in front of me. It was just directly in front of me.  
8 I just did a U-turn and was right behind it then.

9 Q. And what direction did it take?

10 A. It headed right back out State Route 7 back towards the  
11 interstate this way, the same way it had gone in.

12 Q. What did you observe the van that you were pursuing do  
13 while it was heading back toward the interstate?

14 A. While we were heading back toward the interstate the van  
15 sideswiped two separate vehicles, and up to this point about in  
16 here, and then this right here is the ramp getting back on the  
17 interstate, which is where the van went after that. They got  
18 back on the interstate this way, so in this area here it  
19 sideswiped two vans -- or two vehicles, I'm sorry.

20 Q. After the van got onto the ramp to go back on Interstate  
21 77, what happened then?

22 A. I just basically followed him up the ramp right here.  
23 It's a big loop. He got on northbound Interstate 77, at which  
24 time I stayed with it. I think the top speed we reached from  
25 this point on was about 50 miles an hour. It wasn't really

EX 6

State of Ohio  
HP24NOT  
10-0157-54  
Rev. 08/01/2003



Ohio State Highway Patrol  
Report of Investigation  
Investigative Notes

INCIDENT NO: 03 010088 0784	INCIDENT DATE / TIME (MM/DD/YY HH:MM) 07 / 26 / 03 12:18	PHOTO POUCH NO. 84-4682
<p>07 / 29 / 2003 12:00 ~ UNIT NO : 0709 ~ NAME : Lieut. MARY A PFEIFER</p> <p>The following is a review of the videotape from patrol car, SP-496, Tape# 73:</p> <p>12:17:21 Sgt. Lauer came into view and attempted to deploy stop sticks.  12:17:27 Tpr. Starling stopped his patrol car and started to back down the on-ramp.  12:17:32 Sgt. Lauer went out of camera view.  12:18:11 Tpr. Starling entered SR7 and started south towards the pursuit.  12:18:28 Several vehicles were passed as Tpr. Starling attempted to catch the pursuit.  12:18:47 A Wood County, WV sheriff's cruiser was observed going through the intersection of Pike and Acme Streets.  12:19:03 Wood County, WV sheriff's cruiser went into a private parking lot. A van was observed being struck.  12:19:06 A Wood County deputy in an unmarked car swerved around the struck van. A marked Wood County cruiser moved into view. Tpr. Starling also swerved around the van.  12:19:09 Wood County sheriff cruiser drove out of private lot back onto Pike S/SR7.  12:19:14 Sgt. Lauer came into view. Suspect's vehicle could be seen coming out of private lot back onto Pike S/SR7.  12:19:16 Suspect's vehicle drove past Sgt. Lauer and Tpr. Starling.  12:19:20 Tpr. Starling made a u-turn behind the suspect's vehicle.  12:19:27 Suspect drove across the turn lane into oncoming traffic.  12:19:37 Suspect's vehicle drove through an intersection.  12:19:41 In-car microphone comes on.  12:19:48 Suspect drove through the Pike St. and Acme St intersection. Various radio traffic can be heard in the background.  12:19:50 The suspect's vehicle sideswiped a SUV.  12:19:52 Sgt. Lauer could be heard advising the post that the suspect struck another vehicle.  12:20:03 Tpr. Starling stated, "Northbound on 7 at 77." The suspect's vehicle had just swerved through several vehicles.  12:20:09 The suspect's vehicle sideswiped another SUV while attempting to get onto the northbound ramp of IS77.  12:20:14 The Suspect was observed driving up the northbound ramp to go north on IS77.  12:20:15 Tpr. Starling stated, "607, he is getting back on northbound Exit 1."  12:20:20 Sgt. Lauer stated, "Suspect has just hit another one 84, northbound on interstate."  12:20:29 Radio traffic in background advising of our location. (unknown dispatch)  12:20:37 The suspect's vehicle entered IS77 and went into left lane. Traffic can be heard from Sgt. Lauer.  12:20:50 Tpr. Starling advised the post, "Going about 50MPH. His vehicle is coming apart." The suspect moved into the right lane in front of Tpr. Starling.  12:21:00 Tpr. Starling asked, "607 where are you?" Construction signs came into view.  12:21:05 Merging ramp from SR7 came into view.  12:21:14 Sgt. Lauer had traffic with Tpr. Trooper Starling about deploying the stop sticks.  12:21:20 Construction signs for right lane closing came into view. Tpr. Starling stated to Sgt. Lauer, "Construction right here, he has to do something."  12:21:26 Tpr. Starling stated, "Let's let him get through here and see what he does." Lane closure was observed.  12:21:28 A dump truck was observed in the left lane.  12:21:34 The suspect was observed narrowly missing barrels in the construction zone.  12:21:49 The suspect's vehicle started to cross the bridge over SR26. Tpr. Starling stated, "He's gonna hit him."  12:21:53 The suspect's vehicle was observed crashing into the back of a dump truck.  12:21:54 Tpr. Starling stated, "84 it's a 31, 31."  12:21:56 The suspect's vehicle was observed as it bounced back and struck the dump truck again a second time.  12:21:57 The suspect's vehicle was observed traveling off the right side of the roadway.  12:21:58 Sgt. Lauer advised the post to send a squad.  12:22:00 The suspect's vehicle was observed striking an embankment.  12:22:04 An unmarked Wood County car came into camera view.  12:22:06 Tpr. Starling exited his marked patrol car with weapon drawn. A Wood County Sheriff cruiser came into view.  12:22:08 Tpr. Starling yelled, "Stop, Freeze, Freeze." A Deputy is observed exiting an unmarked car with a weapon drawn.  12:22:10 A second deputy from Wood County Sheriff Department exited his vehicle with his weapon drawn. Tpr. Starling continued to order the suspects to freeze.</p>		
REPORTING OFFICER: Lieut. MARY A PFEIFER	UNIT NO.: 0709	DATE:
APPROVING OFFICER: Staff Lieut. PAUL L. MEDDLES	UNIT NO.: 0162	DATE:

EX 6